

APPEAL NO. 022464
FILED NOVEMBER 5, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on September 9, 2002. The hearing officer determined that the respondent's (claimant) compensable repetitive trauma injury of _____, extends to and includes left shoulder impingement syndrome, and that the appellant (carrier) did not waive the right to contest compensability of the claimant's left shoulder impingement syndrome. The carrier appeals the extent-of-injury determination. The claimant responds, urging affirmance. The determination that the carrier did not waive the right to contest compensability of the injury has not been appealed and is final. Section 410.169.

DECISION

Affirmed as reformed.

At the outset, we recognize that the docket number on the decision and order is incorrect. Therefore, we reform the hearing officer's decision and order to correct the docket number to _____.

The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). The hearing officer reviewed the record and resolved what facts were established. We conclude that the hearing officer's determinations are sufficiently supported by the record and are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **ARGONAUT-SOUTHWEST INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**JOSEPH A. YURKOVICH
1431 GREENWAY DRIVE, SUITE 450
IRVING, TEXAS 75038.**

Michael B. McShane
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Margaret Turner
Appeals Judge